

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF NEW YORK**

IVAN ANTONYUK; COREY JOHNSON;  
ALFRED TERRILLE; JOSEPH MANN;  
LESLIE LEMAN; and LAWRENCE SLOANE,

Plaintiffs,

v.

STEVEN A. NIGRELLI, in his Official Capacity  
as Superintendent of the New York State Police;  
JUDGE MATTHEW J. DORAN, in his Official  
Capacity as Licensing-Official of Onondaga  
County; WILLIAM FITZPATRICK, in his  
Official Capacity as the Onondaga County  
District Attorney; EUGENE CONWAY, in his  
Official Capacity as the Sheriff of Onondaga  
County; JOSEPH CECILE, in his Official  
Capacity as the Chief of Police of Syracuse; P.  
DAVID SOARES, in his Official Capacity as the  
District Attorney of Albany County; ANTHONY  
J. DIMARTINO, JR., in his Official Capacity as  
the District Attorney of Oswego County; DON  
HILTON, in his Official Capacity as the Sheriff  
of Oswego County; and JOSEPH STANZIONE,  
in his Official Capacity as the District Attorney  
of Greene County,

Defendants.

Civil Action No. 1:22-CV-986 (GTS/ PJE)

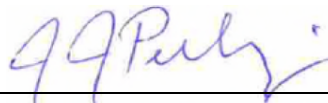
**NOTICE OF MOTION TO DISMISS**

**PLEASE TAKE NOTICE** that, upon the Declaration of J.J. Pelligra, Esq., dated June 30, 2025, and the accompanying Memorandum of Law, dated June 30, 2025, Defendants Anthony J. DiMartino, Jr., in his Official Capacity as the District Attorney of Oswego County, and Defendant Don Hilton, in his Official Capacity as the Sheriff of Oswego County (collectively the “Oswego

Defendants”), by and through their attorneys, Barclay Damon LLP, will move this Court before the Honorable Glenn T. Suddaby, United States District Judge, at the United States District Courthouse for the Northern District of New York, located at 100 S. Clinton Street, Syracuse, New York 13261, on such date and at such time as may be set by the Court, for an Order pursuant to Rule 12(c) of the Federal Rules of Civil Procedure granting dismissal of the claims and relief requested in the Complaint by Plaintiff Joseph Mann as against the Oswego Defendants in their entirety with prejudice, and granting such other and further relief as this Court deems just and proper.

**DATED:** June 30, 2025

**BARCLAY DAMON, LLP**

By:   
J.J. Pelligra  
(Bar Roll No. 701404)  
Edward G. Melvin, II  
(Bar Roll No. 509037)

*Attorneys for the Oswego Defendants*

Barclay Damon Tower  
125 East Jefferson Street  
Syracuse, New York 13202  
Telephone: (315) 425-2700  
Facsimile: (315) 425-2701  
Email: [jpelligra@barclaydamon.com](mailto:jpelligra@barclaydamon.com)  
[emelvin@barclaydamon.com](mailto:emelvin@barclaydamon.com)

**CERTIFICATE OF SERVICE**

I certify that on June 30, 2025, I electronically filed the foregoing motion to dismiss using the CM/ECF system, which sent electronic or other notification of such filing to all counsel of record in this case.

